

PATENT COOPERATION TREATY
PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

REC'D 31 OCT 2005


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Applicant's or agent's file reference 12749PC2-RTK/MMH	FOR FURTHER ACTION		See Form PCT/IPEA/416
International application No. PCT/AU2004/001660	International filing date (day/month/year) 26 November 2004	Priority date (day/month/year) 27 November 2003	
International Patent Classification (IPC) or national classification and IPC Int. Cl. ⁷ C07H 15/256, A61K 31/351, A61P 29/00			
Applicant GRIFFITH UNIVERSITY et al			

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 3 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
 - a. ☒ (sent to the applicant and to the International Bureau) a total of 16 sheets, as follows:
 - ☒ sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
 - ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
 - b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or table related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4. This report contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the report
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application

Date of submission of the demand 23 September 2005	Date of completion of the report 20 October 2005
Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaaustralia.gov.au Facsimile No. (02) 6285 3929	Authorized Officer  S. R. IDRUS Telephone No. (02) 6283 2659

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No. . .

PCT/AU2004/001660

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item .

☐ This report is based on translations from the original language into the following language which is the language of a translation furnished for the purposes of:

☐ international search (under Rules 12.3 and 23.1 (b))

☐ publication of the international application (under Rule 12.4)

☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

☐ the international application as originally filed/furnished

☒ the description:

pages 1-6, 10-42, 44-61 as originally filed/furnished

pages* 7, 8, 9, 43 received by this Authority on 30 September 2005 with the letter of 22 September 2005

pages* received by this Authority on with the letter of

☒ the claims:

pages as originally filed/furnished

pages* as amended (together with any statement) under Article 19

pages* 62-65 received by this Authority on 30 September 2005 with the letter of 22 September 2005

pages* received by this Authority on with the letter of

☒ the drawings:

pages 1/35-21/35, 26/35, 27/35, 32/35-35/35 as originally filed/furnished

pages* 22/35-25/35, 28/35-31/35 received by this Authority on 30 September 2005 with the letter of 22 September 2005

pages* received by this Authority on with the letter of

☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages

☐ the claims, Nos.

☐ the drawings, sheets/figs

☐ the sequence listing (*specify*):

☐ any table(s) related to the sequence listing (*specify*):

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages

☐ the claims, Nos.

☐ the drawings, sheets/figs

☐ the sequence listing (*specify*):

☐ any table(s) related to the sequence listing (*specify*):

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/AU2004/001660

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims 1-26	YES
	Claims	NO
Inventive step (IS)	Claims 1-26	YES
	Claims	NO
Industrial applicability (IA)	Claims 1-26	YES
	Claims	NO

2. Citations and explanations (Rule 70.7)

The International Search Report identified the following citations.

D1 STN File CA Abstract Accession No. 137:349281

D2 STN File CA Abstract Accession No. 129:287800

D3 STN File CA Abstract Accession No. 123:79647

D4 STN File CA Abstract Accession No. 121:31097

D5 STN File CA Abstract Accession No. 81:136447

The compounds disclosed in these citations are excluded by provisos from the scope of the claims. Moreover, the compounds of the present invention are not predicted and/or would not have been obvious to the person skilled in the art from the prior art documents. Accordingly, the claimed subject matter is novel and involve inventive step in the light of these citations.

The compounds of the invention have analgesic, and other traditional medical and insecticidal properties. Accordingly, the claimed subject matter has industrial applicability.